

REMARKS

The specification was objected to for informalities in paragraphs [0026] on page 6, [0036] on page 9, and for inadequate description of claimed features. The specification has been amended to correct these minor informalities.

Paragraph [0026] has been amended to further clarify and define the conventionally used *gauss* (G) unit to specify magnetic field strength, specifically that the SI unit for magnetic field strength *B* is the *tesla* (T). Paragraph [0033] has been amended to further describe the non-articulated arm embodiments of the invention as shown in the figures. Reference numeral "40" in paragraph [0036] has been changed to number "41" to avoid double use of the same reference number. This amendment was previously proposed along with the corresponding drawing changes and amended formal drawings submitted by Applicant in a preliminary amendment filed on February 24, 2003. A duplicate drawing sheet of fig. 10, as filed on February 24, 2003, is attached.

Claims 7 and 18 were objected to for lack of clarity. Claims 7 and 18 have been amended to further clarify the invention. Support for the amendments is found in the specification in paragraph [0035]. Claims 23-24 were rejected under 35 U.S.C. § 102(e) as anticipated by Goetz et al. (US 6,674,280). Claim 23 has been amended to include distinguishing limitations of the invention not found or suggested by Goetz et al. Claims 1-4, 6-13 and 15-22 were rejected under 35 U.S.C. § 103(a) as obvious over SU 1574804 in view of Goetz et al. Applicant traverses the rejections of claims 1-4, 6-13, 15-22 and requests reconsideration.

In rejecting claims 1 and 11, the Office Action asserts that the '804 reference teaches the claimed invention except for the proposed device having two magnetic sensors fixed to the support for measuring a magnetic field of the magnet. Thus, the Office Action combines the '804 reference with Goetz et al. to assert that Goetz et al. would lead one skilled in the art to use two magnetic sensors. However, this assertion is mistaken.

It is clear that the '804 reference teaches a coil mounted on a support with its ends connected to a D/C source such that movement of a set of metallic balls pressed against the coil affects the resistance of the coil. This is in essence a variable resistor system, and thus does not qualify as a magnetic sensor for measuring a magnetic field of the magnet. Although the movement of the metallic balls is tied to the magnet system taught by the '804 reference, this is not equivalent to a magnetic sensor. As explained in Applicant's specification, the magnetic sensor is adapted to measure components of magnetic flux due to changes in magnetic field strength. The '804 reference simply does not teach or suggest a "magnetic sensor" for measuring a magnetic field from the magnet as recited in independent claims 1, 11 and 23. The respective dependent claims are allowable on similar reasoning and further because they provide additional

distinguishing limitations, features which are not remotely suggested by the '804 reference due to the fundamentally different system proposed therein.

The Office Action suggests that it would have been obvious to one of ordinary skill in the art to combine the '804 reference with Goetz et al. to use two magnetic sensors to measure the position of the magnet. As explained above, the '804 reference does not teach or suggest a magnetic sensor as claimed by Applicant. Further, Applicant does not believe that this broad allegation meets the requirement to provide a specific motivation to combine the references. Simply put, there does not appear to be motivation to combine these references without the impermissible use of hindsight. *Interconnect Planning Corp. v. Feil*, 774 F.2d 1132 (Fed. Cir. 1985) (It is error to reconstruct the patentee's claimed invention for the prior art by using the patentee's claim as a blueprint).

Applicant respectfully submits that each of the claims (1-4, 6-13 and 15-24) is allowable. If the Examiner believes that a telephone conference would be advantageous in advancing the prosecution of this application, he is invited to call to the undersigned at (281) 285-4562.

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Respectfully submitted,



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